

Information for New Workers and Students Working in Ontario

What are My Employment Rights and Obligations?

MINIMUM WAGES

General Minimum Wage: \$10.25/hour

Student Minimum Wage \$9.60/hour

The student minimum wage applies to you if you are a student under 18 who works 28 hours or less a week during the school term or who works during school holidays.

Liquor Server Minimum: \$8.90/hour

This applies to you if you are a worker who serves liquor directly to customers in licensed premises as a regular part of your employment. (You must be 18 or over to serve liquor).

Homeworker Minimum: \$11.28/hour

Homeworkers work in a private home for a business owned by someone else. They do such work as sewing or other manufacturing or preparing food for resale. “Domestic workers are not the same as homeworkers.”

Employees exempt from minimum wage laws are:

- 1) a student supervising or instructing children
- 2) a student employed at a camp for children
- 3) a student employed in a recreation program operated by a charitable organization
- 4) a superintendent of a residential building who lives in the building
- 5) a person training to be a residential nursing assistant
- 6) a person training as a laboratory technologist or radiological technician

HOURS OF WORK

The usual maximums are eight hours of work a day or 48 hours a week. With a permit from Employment Standards (part of the Ministry of Labour), your employer may request that you work beyond these limits, but you are not required to do so.

If you work more than five hours in a row, your employer must give you a meal break of at least half an hour. Your employer is not required to pay for this time.

Other breaks are decided by your employer. But if you have to stay at your workstation or workplace during a “break”, the time is working time and cannot be deducted from your pay.

These rules do not apply to:

- 1) employee whose only work is supervisory or managerial
- 2) a full time firefighter
- 3) a person employed as a fishing or hunting guide
- 4) a person employed in construction
- 5) a person performing homework
- 6) a superintendent of a residential building who resides in the building
- 7) an embalmer or funeral director
- 8) a homemaker
- 9) a domestic servant employed directly by the householder
- 10) a residential care worker

OVERTIME PAY

As a student worker you must be paid at least 1.5 times your regular rate for all hours over 44 hours in a week.

Special regulations apply to employees working in: road and sewer construction, local movers, seasonal employees in hotel, tourist resort, restaurant and tavern, fruit and vegetable workers, highway transport, and domestics.

PUBLIC HOLIDAYS

Most employees, if they meet certain requirements, are entitled to eight public holidays with pay:

New Year's Day	Good Friday	Victoria Day
Canada Day	Labour Day	Thanksgiving
Christmas Day	Boxing Day	Family Day

Another day off with pay may be substituted for a public holiday, if you agree. You are entitled to a day off with pay for the public holiday if you have:

- Been employed for three months or more;
- Earned wages on at least 12 days during the four weekends before the holiday;
- Worked on your regularly scheduled day before and your regularly scheduled day after the holiday.

You must be paid at least 1.5 times your regular rate if you work on a public holiday, but special provisions apply in the hospitality industry and other industries. An employee at a hotel, motel, tourist resort, restaurant, tavern, hospital, or any continuous operation may be given the next working day off with pay.

VACATION PAY

You are entitled to vacation pay at the rate of 4% of all money you earn. No minimum period of employment is required. After one year of service you are entitled to two weeks' vacation with pay. You must receive your vacation pay and wages due no later than seven days after your employment ends.

Vacation pay is not calculated on tips, bonuses, expenses, or benefit plans.

